Indian Pernal Code (Mysore Amendment) Bill, 1969

Introduction.

Sri VEERENDRA PATIL (Chief Minister).—Sir, I beg to indroduce: (a) The Indian Penal Code (Mysore Amendment) Bill, 1969.

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Mr. SPEAKER.—The Bill is introduced.

Sri M. NAGAPPA.—Sir I have got objection to the introductien of Police (Amendment) Bill under Rule 71. Rule 71 of the Rules of Procedure says:

> "If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion may, without further debate, put the question;"

According to this, I oppose it. It is for the Hon, Minister to say something about the Bill. Then, I will give my reasons about that.

Mr. SPEAKER.—With reference to the Police Bill to be introduced by the Hon. Chief Minister, Sri Nagappa has taken objection under Rule 71. The hon. Member may know that it is not a motion to be made by the Chief Minister. Rule 71 speaks about a motion for leave to introduce a Bill. But, here, he is introducing the Bill. The distinction is obvious. This Bill has already been published under the orders of the Speaker under Rule 64. I shall read Rule 64:

> "The Speaker, may on request being made to him, order the publication of any Bill (together with the Statement of Objects and Reasons, the memorandum regarding delegation of legislative power and the financial memorandum accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill. In that case, it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again."

The Bill is already published in the Gazette, and therefore the objection taken by Sri Nagappa cannot be upheld.

Sri M. NAGAPPA.—With due respect to the Chair, I submit and I concede that it amounts to introduction of a Bill no sooner it is published by the Legislature Secretariat.

Mr. SPEAKER.—It is presumed that leave is granted by the House.

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Mr. SPEAKER.—It is presumed that leave is granted by the House.

Sri M. NAGAPPA.—But, as per the list of Business that is supplied by the same Secretariat and the Hon. Speaker, it is as though the Bills are going to be introduced. Proviso to Rule 71 says:

> "Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the Assembly, the Speaker may permit a full discussion thereon."

Therefore, I feel that my objection is correct.

Sri M. S. KRISHNAN (Malleswaram).—Sir, you have made certain distinction between Rule 64 and Rule 71. Rule 64 speaks of leave to introduce a Bill and Rule 71 speaks of introduction of the Bill. If my presumption is correct, you were trying to say that it will not be necessary to publish it again, because it has already been introduced, and that when once you presume that the Bill has been introduced, we have no right to oppose the Bill. But as was pointed out by my friend Sri Nagappa, it is very necessary to take into consideration Rule 71, even before Rule 64 is considered. If the leave to introduction itself is opposed, naturally the question of introduction does not arise. As per the List of Business the Bills are going to be introduced. I think, therefore, you should uphold the point of my friend Sri Nagappa.

Mr. SPEAKER.—I would like to bring to the notice of the hon. Members the distinction between the two. Rule 71 speaks of leave to introduce and Rule 64 speaks of motion for leave to introduce. These are two separate things. When a Bill is published under Rule 64, no action need be taken under Rule 71 and no motion need be made for leave to introduce the Bill.

Sri H. N. NANJE GOWDA.—If the motion for leave to introduce was not there, he could have directly introduced the Bill for consideration.

Mr. SPEAKER.—I have understood it; I shall explain that point.

Sri M. S. KRISHNAN.—Sir, I would like to say something.

Mr. SPEAKER.—I have heard the hon. member completely; I shall deal with it. My Ruling has got to be accepted whether it is right or wrong. I have stated that where a Bill is published no motion under rule 71 has to be made. In view of this the objection raised by hon. Member Sri Nagappa cannot be upheld. As regards the other point raised by hon. Member Sri Nanje Gowda and another hon. member, rule 72 states:

> "72. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette."

Sri B. B. SAYANAK (Belgaum).—Sir, the hon. Minister is entering the House when the Hon. Speaker is on his legs.

Mr. SPEAKER.—I shall take note of it. I do not find any force in the other points raised by the hon. Members. I call upon the hon. Chief Minister to introduce the Bills.

Sri VEERENDRA PATIL.—I beg to introduce the Mysore Police (Amendment) Bill, 1969.

Sri M. NAGAPPA.—Sir, I am on a point of order.

Mr. SPEAKER.—I shall permit the hon. member after the introduction of Bills is over.

Sri H. N. NANJE GOWDA.—Sir, I raise objection under rule 71.

Mr. SPEAKER.—The hon. Member may bring it to my notice in my chambers. I have given my ruling right or wrong it binds on all the hon. Members.

Sri H. N. NANJE GOWDA.—Points of order cannot be discussed in the chambers.

Mr. SPEAKER.—I call upon the Hon. Minister for Finance.

Mysore Sales Tax (Amendment) and (Second Amendment) Bills, 1969.

Introduction.

Sri RAMAKRISHNA HEGDE (Minister for Finance, Planning and Youth Welfare).—Sri, I beg to introduce :

(*a*) The Mysore Sales Tax (Amendment) Bill, 1969;

(*b*) The Mysore Sales Tax (Second Amendment) Bill, 1969.

Sri S. SIVAPPA.—Sir, when several points of orders have been raised on the floor of the House I think that should be given priority over the other business. Whether the Hon. Chair admits the points of orders or not is a different matter. Anyway I only request the Hon. Chair to give a patient hearing to the points of orders.

Mr. SPEAKER.—I quite appreciate the observations made by the Hon. Leader of Opposition. He might have also noted that I gave a very patient hearing to the observations made by Hon. Member Sri Nagappa, hon. Member Sri Nanje Gowda and hon. Member Sri M. S. Krishnan. Only after giving a patient hearing to their points I gave my ruling. If the hon. Members are not satisfied with the ruling or if they feel that the ruling is not correct it is left to them. But the ruling given by me, whether it is right or wrong, is binding on all hon. Members. The objections raised by hon. Member Sri Nagappa and other hon. Members were under rule 71. I pointed out that the question before us is not one of granting leave to introduce the Bill.